



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/220,063

12/23/1998

STEPHANE AMARGER

1807.0631

3987

5514

7590

02/23/2005

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

POON, KING Y

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/220,063	Applicant(s) AMARGER ET AL.	
	Examiner King Y. Poon	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2004 and 02 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 14, 15, 17-19, 26-34, 39, 40, 42, 43, 45-47 and 50-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 14, 15, 17-19, 26-34, 39, 40, 42, 43, 45-47 and 50-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/4/2004 has been entered.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-9, 14, 15, 17-19, 26-34, 39, 40, 42, 43, 45-47, 50-59 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that

Art Unit: 2624

the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 1, 9, 26, 34: The limitation of “the printer pilot configuration defining printing process parameters of the printer designated to implement the document printing process” is subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 5, 30: the limitation of “associated with each item of added information received in response to the transmitted questions from the user, an item of information identifying the user who supply each item of the added information” is subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 9: the limitation of “estimation means for estimating values amounts of the presence of text, image and graphic zones in the document” is subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 34: the limitation of “an estimation step of estimating value amounts of the presence of text, image and graphic zones in the document” is subject matter which was not described in the specification in such a way as to reasonably

Art Unit: 2624

convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 2-4, 6-8, 14, 15, 17-19, 26-29, 31-33, 39, 40, 42, 43, 45-47, 50-59: Claims 2-4, 6-8, 14, 15, 17-19, 26-29, 31-33, 39, 40, 42, 43, 45-47, 50-59 are rejected under 35 U.S.C. 112, first paragraph because they depends on rejected claims 1, 9, 26, 34.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 2, 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 2, and 27: Claims 2 and 27 depend on claims 1, and 26. Claims 1 and 26 is claiming a printer designated to implement the document printing process. Claim 2 and 26 is claiming at least 2 printers carrying out the printing process of the document. Claims 2 and 26 appear to contradict claims 2 and 27.

Response to Arguments

7. Applicant's arguments filed on 5/4/2004 have been fully considered but they are not persuasive.

The claims have been searched and examined on merit: The limitation of "the printer pilot configuration defining printing process parameters of the printer designated

Art Unit: 2624

to implement the document printing process" used with other claimed limitations of the independent claims is allowable if the applicant can overcome the new matter rejection.

With respect to applicant's argument that page 14, lines 14-15 has the limitation of the limitation of "associated with each item of added information received in response to the transmitted questions from the user, an item of information identifying the user who supply each item of the added information" has been considered.

In reply: Page 14, lines 14-15 states "this knowledge being associated with an item of information identifying the user." The examiner doesn't see what element in this statement represents "each item", "added information", "who supply", "each item" of the "added information."

With respect to applicant's argument that "determination of the proportions of text, image, and the graphic is the same as "estimation means for estimating values amounts of the presence of text, image and graphic zones in the document" has been considered.

In reply: The phrase "values amounts of the presence of text, image and graphic zones" is not defined in the specification. Therefore, the examiner is interpreting the phrase with its ordinary meaning. The phrase clearly requires values that indicate how many texts are present, how many images are present and how many graphics are present. For example, two pages of graphic, five pages of image, four pages of text is values amounts of the presence of text, image and graphic. Proportions only give a relation but not the amount of value. 1:2 of graphic to text ratio does not provide information about 10 pages of graphic and 20 pages of text are presented.

Art Unit: 2624

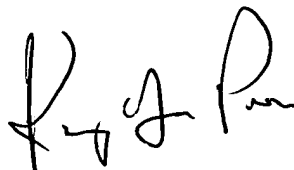
Moreover, the term "determine" has different meaning compare to the term "estimate".

The examiner also see page 27, line 12, to page 32, line 10 (describing Figure 10), and more particularly page 28, lines 1-10, page 28, line 26, to page 29, line 5, page 29, lines 6-14, page 30, lines 8-17, and page 30, lines 21-30. The examiner cannot find values that indicate how many texts are present, how many image are present and how many graphic are present.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892.

2/18/05

A handwritten signature in black ink, appearing to read 'King Y. Poon', is written above the printed name.

**KING Y. POON
PRIMARY EXAMINER**